



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stuiver et al.

Appl. No.: 09/469,812

Filed: December 21, 1999

For: Plasmids for Plant Transformation

and Method for Using the Same

Confirmation No.: 5404

Art Unit: 1638

Examiner: Kruse, David H.

Atty. Docket: 2204.0010000/SRL/CMB

Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

It is hereby requested that the period for replying to the outstanding Office Action be extended one month from **June 12**, 2004 to **July 12**, 2004 by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$110.00 for a one month for a large entity. Fee payment is provided in our accompanying PTO-2038 Credit Card Payment Form. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

07/14/2004 WABRHAM1 00000127 09469812

01 FC:1251

110.00 OP

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Cynthia M. Bouchez Attorney for Applicants Registration No. 47,438

Date: July 12, 2004

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

286396v1

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

ork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known TRANSMITTAL 09/469,812 Application Number Filing Date for FY 2004 December 22, 1999 First Named Inventor Maarten H. Stuiver Effective 10/01/2003. Patent fees are subject to annual revision. **Examiner Name** Kruse, David H. Applicant claims small entity status. See 37 CFR 1.27 Art Unit 1638 TOTAL AMOUNT OF PAYMENT (\$) 110.00 2204.0010000/SRL/CMB Attorney Docket No.

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)					
Check X Credit card Money X Other* None			3. ADDITIONAL FEES						
*Charge any deficiencies or credit any overpayments in			Large I	ntity	Small	Entity			
Deposit Acco	ount: the fees to Deposit A	cct. No. 19-0036.	Fee Code	Fee		Fee	Fee Description		
Account	19-0036		1051	(\$) 130	2051	(\$) 65	Surcharge - late filing fee or oath	Fee Paid	
Number Deposit			1052	50	2052	25	Surcharge - late provisional filing fee or		
Account Ste	erne, Kessler, Goldstein &	Fox P.L.L.C.					cover sheet		
The Director is authorized to: (check all that apply)			1053	130	1053		Non-English specification		
Charge fee(s) indicated below Credit any overpayments			1812		1812		For filing a request for ex parte reexamination		
Charge any additional fee(s) or any underpayment of fee(s)			1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
Charge fee(s) indicated below, except for the filing fee			1805	1,840*	1805	1,840*	Requesting publication of SIR after		
to the above-identified deposit account.			4054	440	0054		Examiner action	110.00	
FEE CALCULATION			1251	110	2251	55	Extension for reply within first month	110.00	
1. BASIC FILIN			1252	420	2252	210	Extension for reply within second month		
Large Entity Smal	Entity Fee Fee Description	Fee Paid	1253	950	2253		Extension for reply within third month		
	e (\$)	r cc r ara	1254	.,	2254	740	Extension for reply within fourth month		
1001 770 200	1 385 Utility filing fee		1255	2,010	2255	1,005	Extension for reply within fifth month		
1002 340 200	2 170 Design filing fee		1401	330	2401	165	Notice of Appeal		
1003 530 200:	3 265 Plant filing fee		1402	330	2402	165	Filing a brief in support of an appeal		
1004 770 2004	4 385 Reissue filing fee		1403	290	2403	145	Request for oral hearing		
1005 160 200	5 80 Provisional filing fe	e	1451	1,510	1451	1,510	Petition to institute a public use proceeding		
SUBTOTAL (1) (\$) 0			1452	110	2452	55	Petition to revive - unavoidable		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			1453	1,330	2453	665	Petition to revive - unintentional		
L. EXTRA OLA	F6	e from	1501		2501		Utility issue fee (or reissue)		
Total Claims			1502	480	2502	240	Design issue fee		
			1503	640	2503	320	Plant issue fee		
Claims L Multiple Dependen			1460	130	1460	130	Petitions to the Commissioner		
, ,	L.		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
Large Entity Sn Fee Fee F	nall Entity ee Fee <u>Fee</u> Descriptio	n	1806	180	1806	180	Submission of Information Disclosure Stmt		
	ode (\$)	_	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
	2202 9 Claims in excess		1809	770	2809	385	Filing a submission after final rejection		
	2201 43 Independent clain						(37 CFR 1.129(a))	-	
		nt claim, if not paid	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))		
1204 86	2204 43 ** Reissue indepe over original pa		1801	770	2801	385	Request for Continued Examination (RCE)		
1205 18	2205 9 ** Reissue claims and over origina		1802	900	1802	900	Request for expedited examination		
'		l			of a design application				
SUBTOTAL (2) (\$) 0			Other f					110.00	
**or number previously paid, if greater; For Reissues, see above					Basic F	iting Fe	ee Paid SUBTOTAL (3) (\$)	110.00	

SUBMITTED BY

Name (Print/Type)

Cynthia M. Bouchez

Signature

Complete (if applicable))

Registration No. 147 43 8 Telephone (202) 371-2600

(Attornev/Agent)

Date

July 12, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.